

COMMISSION MEETING MINUTES

Indiana Fire Prevention and

Building Safety Commission

Government Center South

402 West Washington Street

Indianapolis, Indiana 46204

Conference Room B

August 1, 2006

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:03 a.m. August 1, 2006.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner

Michael Christoffersen

Michael Corey

Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health

Kevin Goeden, representing the Commissioner, Department of Labor

David Hannum, Chairman

John Hawkins

Ted Ogle

James Ridley

M. Burke Jones

Commissioners not present at the Commission meeting:

Jay Gore

(b) The following departmental and support staff were present during the meeting:

(1) Agency Support Services, Legal and Code Services

Mara Snyder, Director, Legal and Code Services

John Haines, Code Specialist

John Hibner, Code Specialist

Raleigh Kouns, Code Specialist

Bob Robinson, Code Specialist

Beth Sutor, Secretary

(2) Jim Hawkins, representing Richelle Wakefield, Director, Fire Code Enforcement

(3) James Schmidt, Counsel for the Commission, Deputy Attorney General

2. Old Business.

Chairman David Hannum called for any corrections or a motion to approve the minutes of the July 6, 2006 meeting as

distributed and the public hearing minutes for LSA Document #05-50. It was noted that Commissioner Brenner's name had been misspelled. A motion to approve the minutes as corrected was made by Commissioner Christoffersen and seconded by Commissioner Ogle. It was voted upon and carried.

3. New Business.

Ordinances.

Jim Hawkins, representing Richelle Wakefield, Director, Fire and Building Code Enforcement, introduced building ordinances which had been reviewed, recommending their approval. These ordinances were as follows:

Building Code

Dearborn County, Indiana

Building Ordinance No. 710

Rockville, Indiana

Building Ordinance No. 2006-2

Pulaski County, Indiana

Commissioner Christoffersen moved to approve the ordinances with the second by Commissioner Ridley. It was voted upon and carried.

Third Party Inspections and Certifications

Jim Hawkins, representing Richelle Wakefield, Director, Fire and Building Code Enforcement, recommended approval of the following applicant for third party inspections and certifications:

Pyramid1, Inc.

19260 County Road 46

P.O. Box 463

New Paris, IN46553

A motion to approve the applicant for third party inspections and certifications was made by Commissioner Ogle and seconded by Commissioner Christoffersen. It was voted upon and carried.

4. Variances.

Tabled Variances.

Commissioner Hannum noted that variance 06-06-37(a) Washington Pointe Apartments, Indianapolis and variance 06-07-43(d) Lutheran Child and Family Services, Indianapolis, had been withdrawn. Variance 06-06-51 Change of occupant load for Udder Angels Childcare, Alexandria was tabled at the request of the proponent. Commissioner Cundiff made the motion to table with the second by Commissioner Jones. It was voted upon and carried. Variance 06-07-30(c) Meridian Corporate Plaza Three, Indianapolis, was represented by Doug Trent, RTM Consultants. He asked the variance be tabled. Commissioner Ogle moved to table with the second by Commissioner Cundiff. It was voted upon and carried.

Regular Variances.

Variance 06-08-9(b) was called out for individual consideration. It was also noted that 06-08-19 had been changed from a "B" to a "C" and was no longer eligible for block consideration. Commissioner Cundiff made the motion to approve the following variances with an "A" or "B" review rating by staff, with the second being made by Commissioner Hawkins. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 06-08-3 Swiss Re Life and Health America, Inc, Ft. Wayne
- (2) 06-08-6 Precedent South Building 2, Greenwood
- (3) 06-08-7 St. Vincent Hospital Surgery Department Renovation, Indianapolis
- (4) 06-08-8 Neil A. Armstrong Elementary School, Mooresville
- (5) 06-08-9(a) Gibson Building Renovation, Indianapolis
- (6) 06-08-10(a) New Education and Administrative Facility, Indianapolis
- (7) 06-08-16(a)(b) CAGI Elevator Addition, Indianapolis
- (8) 06-08-17 Taggart Memorial Riverside Park, Indianapolis
- (9) 06-08-20 Rink-Savoy Apartments Renovation, Indianapolis
- (10) 06-08-21 The Waterfront Condominiums, Cicero
- (11) 06-08-22 Grace Orthopaedic Capital Center, Winona Lake
- (12) 06-08-23(a)(b)(c)(e)(f) Clarian Education Resource Center, Indianapolis
- (13) 06-08-24 Bloomington Utilities Department Replacement Office Building, Bloomington
- (14) 06-08-25(a)(b) 300 East at Fall Creek Pub, Indianapolis
- (15) 06-08-26 University Loft Company, Greenfield
- (16) 06-08-29(b) Meridian Garden Condominiums, Indianapolis
- (17) 06-08-30 New Lincoln Primary Center, South Bend
- (18) 06-08-31 Hi-Bay Addition to Manufacturing Technology Inc., South Bend
- (19) 06-08-32 St. Mary's Medical Center SICU, Evansville
- (20) 06-08-33 Wal-Mart Supercenter #3851, Lafayette
- (21) 06-08-34 Wal-Mart Supercenter #1026, Bedford
- (22) 06-08-35 Wal-Mart Supercenter #1991, Bloomington
- (23) 06-08-38 University of Notre Dame Nanotechnology Research Building, Notre Dame
- (24) 06-08-42 Mooresville Government Center Renovation, Mooresville

The following variances were heard separately:

- (25) 06-08-1 Trinity Life Center, Pendleton

06-08-2 Whiteco Hanger, Valparaiso

It was noted these variances had been withdrawn by the proponents.

- (26) 06-08-4(a)(b)(c)(d)(e) Washington Towers Assisted Living Conversion, Washington

Morgan Sweeney, architect, spoke as proponent. The request for variance (a) was to allow stairwells with a 40" width from wall to wall which is 4" smaller than required by the occupant load of more than fifty persons. After discussion regarding the mobility of the occupants of the I-1 building, Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) was to allow a rise and run of 7½ by 10 inches instead of the required 11 inches. Commissioner Christoffersen moved to approve with the second by

Commissioner Ridley. It was voted upon and carried. Variance (c) was to allow the deletion of elevator lobbies. After discussion of the plans to install sprinklers, Commissioner Hawkins moved to approve on the condition the sprinklers be installed before the building can be used as an I-1. Commissioner Christoffersen made the second. It was voted upon and carried. Variance (d) and (e) dealt with elevator issues of hydraulic elevators without safety bulkheads and non-compliant cab sizes. After discussion, Commissioner Corey moved to approve both (d) and (e) with the second by Commissioner Cundiff. It was voted upon and carried.

(27)06-08-5(a)(b)Villaggio at Page Pointe, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) concerned the non-compliant water pressure at the top of the standpipes, and variance (b) was the request to omit sprinklers on the balconies. After discussion of NFPA 14, Section 5-7(1) exception 1 and the non-combustible materials used in the construction of the balconies, Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

(28)06-08-9(b)Gibson Building Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The variance was called out to confirm that the elevator company would provide the maintenance documents and specialized tool required to inspect the belts. He was assured they would do so. Commissioner Corey then moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

(29)06-08-10(b)(c)New Education and Administrative Facility, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (b) was a request to allow two enclosed stairways to discharge through the first floor lobby in an effort to reduce the number of exterior doors in the area of the daycare. This was an effort to increase security for the children while keeping within a 150 foot travel distance in the sprinklered building. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was to allow an area separation wall which is not structurally independent. The wall is identified as a two-hour fire barrier on the application. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

(30)06-08-11Plum Creek Cabinets, Bloomington

Dick Hartung, architect, spoke as proponent. The request was to allow the deletion of the sprinkler system in a pre-engineered, metal building which has an extensive dust collection system in place. The local fire department was not opposed to the variance as the water pressure in the area will not support a sprinkler system. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(31)06-08-12Pottawatomie Country Club, Michigan City

No proponent was present. The variance was a request to allow a stairway width of 6'8" without an intermediate handrail. Commissioner Cundiff moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

(32)06-08-13Chapel Townhomes, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. A church is being converted into townhouses and the change of use requires egress windows. The request was to allow the historic stained glass windows from the church to be used instead of egress windows required by code. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

(33)06-08-14Dakota Ridge Apartments Phase II, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. The issue was that of a return air grill installed at a closet door. The local inspector had felt it could be interpreted as using kitchen air for return air which is not compliant, though the grill is not located in the kitchen. After discussion, Commissioner Hawkins moved that no variance was required with the second by Commissioner Cundiff. It was voted upon and carried.

(34)06-08-15Anderson High School Phase 2, Anderson

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. He explained that of the doors in question, not all are doors to dressing rooms for the auditorium. One will have a rolling fire shutter door installed and others will have solid core doors which will open into a corridor in the sprinklered building. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

5. Breaking and reconvening. Chairman Hannum recessed the Commission at 9:48 a.m. Chairman Hannum reconvened the meeting, calling it to order at 10:02 a.m.

6. Public Hearing of LSA Document #05-50, Discussion and Action.

Minutes for the public hearing of LSA Document #05-50, proposed new Elevator and associated codes, will appear under separate cover. Discussion of the time frame involved for the adoption procedure and the possible effect

changes in the code as published in the Register would have on the fiscal impact study was held. It was decided to delay action on the document until September, giving time for study of proposed changes and public testimony.

7. Breaking and reconvening. Chairman Hannum recessed the Commission for lunch at 11:38 a.m. Chairman Hannum reconvened the meeting, calling it to order at 12:45pm. Commissioner Corey left the meeting at this time.

8. Variances (cont.)

(35)06-08-18(a)(b) Frank E. Irish, Indianapolis

The proponent had requested the variance be tabled. Commissioner Ogle moved to table with the second by Commissioner Goeden. It was voted upon and carried.

(36)06-08-19 Brownsburg East Middle School Classroom Additions, Brownsburg

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a bank of doors which are not required exits to be closed during construction. This would create a 36-foot dead end corridor. After discussion, Commissioner Christoffersen moved to approve with the condition directional signage be placed at the doorway to direct persons to the exit. Commissioner Hawkins made the second. It was voted upon and carried.

(37)06-08-23(d) Clarian Education Resource Center, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow stairway doors to be locked in the training facility. The doors would be operational from the egress side at all times, and the locks would automatically open at the activation of smoke / fire alarms to avoid entrapment. After brief discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

(38)06-08-25(c) 300 East at Fall Creek Pub, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to use the new restroom facilities just outside the pub to comply with the unisex restroom requirement created by change of use. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

(39)06-08-27 Connie Jean Crossing Phase 2 Apartments, Garrett

Ed Rensink, RTM Consultants, spoke as proponent. Travel distance in the four bedroom units is over the allowable distance by 12 feet. The windows are operable, and they exit into a one-hour stair enclosure. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(40)06-08-28(a)(b) University of Southern Indiana Wellness and Fitness Center, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) presented a vertical opening issue and (b) was allowable area non-compliance. The three story overlook created by the addition will be protected with escalator opening protection packages, and the three exit stairways will be enclosed. The addition is over the allowable area on the first floor by twelve percent since the additional area is not equally distributed among the three floors. After discussion, Commissioner Christoffersen moved to approve both variances with the second by Commissioner Ogle. It was voted upon and carried.

(41)06-08-29(a) Meridian Garden Condominiums, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the 7th floor extension of the exterior stair currently serving the fifth and sixth floors of the condominium conversion to match in rise and run the existing stair. Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(42)06-08-36 Huntington North High School Water Curtain, Huntington

Tom Johnson, Assistant Superintendent, spoke as proponent. The school's fire curtain is 36-year-old original equipment. No one will test the material for compliance since it contains asbestos. The request is to allow a water curtain to be used in its place. Commissioner Ogle moved to approve. Commissioner Hawkins made the second. It was voted upon and carried.

(43)06-08-37 Janet Prindle Institute for Ethics, Greencastle

Mark Riffey, Ryan Fire Protection, spoke as proponent. The request was to be allowed to run sprinklers down the crest of the roof and use sidewall sprinklers in the great room and chapel areas of the building. This is being done to conceal as much of the piping as possible at the request of the owner. After discussion of coverage areas, Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(44)06-08-39 Residence of Ron Thompson, Medaryville

Ron Thompson, owner, spoke as proponent. He explained that the hallway is 4 inches smaller than required code because he built the house himself and was unaware that there was a specific size required by code. He noted that he had used the stairway when moving construction materials for the loft area without problems. After a brief discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Goeden. It was voted upon and carried.

(45)06-08-41(a)(b) Conference Center Rear Lobby, Converse

Bruce Cameron, Director, spoke as proponent. He requested that the exit corridor be permitted to run through a lobby/lounge area in variance (b). He also requested he be allowed to replace fire doors to create a 20 minute corridor within a two year period due to budget restraints. The doors which complied at the time of installation, have had the labels removed and therefore now do not comply. After discussion, Commissioner Brenner moved to approve both variances with the second by Commissioner Ridley. It was voted upon and carried.

(46)06-08-43 Education Building. Lafayette

Harry Mohler, architect, spoke as proponent. The request was for a 45-day extension to the sprinkler installation deadline for the building. Ron Richey, Lafayette Fire Department, was in attendance and had no objection to the variance. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

9. New Business – General.

Discussion and Possible Action

Holiday Inn Express – New Albany
Order – Fire and Building Code Enforcement Division
Administrative Cause No. 05-35
Nonfinal Order of Dismissal
Hi Way Lanes
Order – Office of State Fire Marshal
Administrative Cause No. 06-28
Nonfinal Order of Dismissal

Commissioner Cundiff moved to approve the Nonfinal Orders of Dismissal. Commissioner Ridley made the second. It was voted upon and carried.

Discussion and Commission Action On Petitions For Review (All are timely filed unless otherwise noted.)

Indiana State University Burford Hall

Order – Elevator Safety Division

Parker Building

Denial of Variance 06-07-2(a)(d)(h)

6687 Squanto Drive

Order – Morgan County Building Inspections

Village at Oak Manor

Condition on Construction Design Release #317941

Tom Tracy and Freebies Fireworks

Certificates for amounts of fireworks less than that allowed by IC 22-11

David Foster

Violation dated 2-16-06 for 30 W. Vermont

David Foster

Violation dated 5-31-06 for 30 W. Vermont

The Hamptons – Withdrawn by proponent

Manufactured Structures, Inc. – Withdrawn by proponent

Commissioner Cundiff moved to approve all petitions for review. Commissioner Ogle made the second. It was voted upon and carried.

10. Discussion and possible Commission action, LSA Document #05-58.

A discussion of the proposed Energy Conservation Code, LSA Document #05-58 was held. The topics of vapor barriers, required design temperatures, exterior door vestibules being required and make-up air requirements were brought forward by Commissioner Hawkins as issues needing further research. Mara Snyder, Director of Code and Legal Services, asked that the Commission members review the staff memo and that any additional information gathered or other Commissioner input be forwarded to John Hibner before the next scheduled mailing date for distribution to the members of the Commission.

11. Comments.

Mara Snyder, Director of Code and Legal Services, advised the Commissioners of a special meeting scheduled on August 28, 2006 in Conference Center Room C to re-adopt LSA Document #05-108 after an immediately preceding public hearing. This rule now has an impact of over \$500,000 and must be completed at the special meeting. It will then be taken to the Office of the State Attorney General for a one day turn-around and to the Office of the Governor with a request that it is to be signed by September 1, 2006. She stressed the importance of attending the meeting.

12. Adjournment.

Chairman Hannum called for further business. There being none, he adjourned the meeting at 1:55 p.m.

APPROVED

David Hannum, Chairman